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PTO/SB/05 (05-03)

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. B04107283D1
First Inventor John A. Ahern
Title DEVICES AND METHODS FOR TREATING TISSUE
Express Mail Label No. EV340040275US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 40]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 10]
5. Oath or Declaration [Total Sheets 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: check for \$1,000.00

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09/ 328,808

Prior application information: Examiner Suzette Jamie Jackson

Art Unit: 3738

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

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Name (Print/Type)

John F. Perullo

Registration No. (Attorney/Agent)

39,498

Signature

John F. Perullo

Date

January 28, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

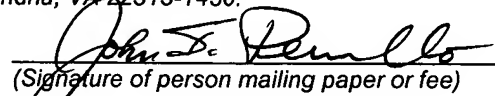
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT
ATTORNEY'S DOCKET NO.: B0410/7283D1

Express Mail mailing label number EV340040275US Date of Deposit:: January 28, 2004

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SIR:

TRANSMITTED HERewith FOR FILING IS A PATENT APPLICATION OF:

INVENTOR(S): JOHN E. AHERN

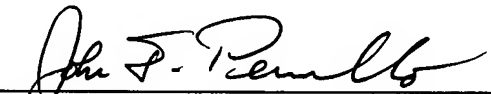
FOR: DEVICES AND METHODS FOR TREATING TISSUE

ENCLOSED ARE:

- [XX] UTILITY PATENT APPLICATION TRANSMITTAL
- [XX] APPLICATION DATA SHEET
- [XX] PRELIMINARY AMENDMENT
- [XX] A SPECIFICATION AND CLAIMS INCLUDING 40 PAGES
- [XX] COPY OF DECLARATIONS AND POWER OF ATTORNEYS
(FROM PARENT APPLICATION 09/328,808)
- [XX] TEN (10) SHEETS OF FORMAL DRAWINGS (FIGS.1-15C)
- [XX] INFORMATION DISCLOSURE STATEMENT AND PTO FORM 1449, IN DUPLICATE)

FOR	NUMBER FILED		CLAIMS AS FILED NUMBER EXTRA	RATE	BASIC FEE
TOTAL CLAIMS	28	-20	8	X \$18.00	\$770.00 \$144.00
INDEPENDENT CLAIMS	4	-3	1	X \$86.00	\$ 86.00
				TOTAL FILING FEE	\$1,000.00

- [XX] A CHECK IN THE AMOUNT OF \$1,000.00 TO COVER THE FILING FEE IS ENCLOSED.
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JOHN F. PERULLO
REGISTRATION NO. 39,498
KIRKPATRICK & LOCKHART LLP
75 STATE STREET
BOSTON, MASSACHUSETTS 02109-1808
TEL: (617) 261-3100
CUSTOMER NO.: 022832
ATTORNEYS OF RECORD

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DATE: JANUARY 28, 2004